GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) - Initiation of disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charge - Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.506 **Dated:04-07-2022**
Read:-

G.O.Ms.No.508, Rev.(Vig.I) Dept., dt:04.07.2022

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ORDER:

In pursuance to the orders issued in the G.O. read above, it is proposed to hold an enquiry against Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct/ misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) is further informed that if he does not submit his written statement of defence on or before the date specified in para3 above, further action will be processed based on the material available.

6. Attention of Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(Contd.,2)

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole and Competent Authority for Land Acquisition, NH-216, Prakasam District (now retired) (through the Chief Commissioner of Land Administration, A.P., Vijayawada.)
The Chief Commissioner of Land Administration, A.P., Vijayawada (with a request to serve the order on the individual and furnish served copy of this G.O. within a week).

Copy to:
The District Collector, Prakasam District.
S.F./S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI INDUPALLI PRAKASH KUMAR, FORMER JOINT COLLECTOR-II, PRAKASAM DISTRICT, ONGOLE AND COMPETENT AUTHORITY FOR LAND ACQUISITION, NH-216, PRAKASAM DISTRICT(NOW RETIRED),.

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Article of Charge:

Sri Indupalli Prakash Kumar, former Joint Collector-II, Prakasam District, Ongole (now retired), during his tenure as Competent Authority for Land Acquisition , Ongole, as per the enjoyment sketches prepared by the Mandal Surveyor and the report furnished by the then Tahsildar, Ongole has shown the name of Sri Katta Balakrishna against the column enjoyer/Owner of the land measuring an extent of Ac.0.68 Cents in Sy.No.294/1A2 of Throvagunta Village, notified the same in the declaration published U/s 3D of the Act, conducted award enquiry and passed award for payment of Rs.95,49,584/- towards land compensation for an extent of Ac.0.68 Cents land in favour of Sri Katta Balakrishna, S/o Koteshwara Rao instead of 0.06 cents thereby causing an excess payment of Rs.87,06,974/-.

Due to his failure in conduct of Award enquiry, Award was passed for an amount of Rs.95,49,584/- towards land compensation for the extent of Ac.0.68 Cents land in favour of Sri Katta Balakrishna, S/o Koteshwara Rao and thereby he is responsible for passing of Award for excess amount of Rs.87,06,974/-

Thus Sri Indupalli Prakash Kumar, Joint Collector-II & CALA, NH-216, Prakasam District (now retired) with his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule 3 (1) of APCS (Conduct) Rules, 1964.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI INDUPALLI PRAKASH KUMAR, FORMER JOINT COLLECTOR-II PRAKASAM DISTRICT, ONGOLE AND COMPETENT AUTHORITY FOR LAND ACQUISITION, NH-216, PRAKASAM DISTRICT (NOW RETIRED).

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During his tenure as Competent Authority for Land Acquisition, the Ministry of Road Transport and Highways, Government of India have proposed to acquire land in Throvagunata and some other villages of Prakasam district for building , maintenance, Management and operation of N.H-216 (Chirala to Ongole section) and accordingly published a notifcation under section 3A of NH Act, 1956. The then Mandal Surveyor Sri U. Bhaskara Rao has surveyed the lands covered under acquisition and prepared sub division record and enjoyment sketches. As per the enjoyment sketches furnished by the then Tahsildar, Ongole i.e Sri Srikanth Kedaranadh the name of. Sri Katta Balakrishna was shown against the column enjoyer/Owner of the land measuring an extent of Ac.0.68 Cents in Sy.No294/1A2 of Throvagunta Village and the same was notified in the declaration published U/s 3D of the Act. Subsequently the CALA has conducted award enquiry and passed award for payment of Rs.95,49,584/- towards land compensation for the Ac.0.68 Cents land in favour of Sri Katta Balakrishna, S/o Koteshwara Rao. Subsequently, on the objection fled by Sri Mandava Subbarao, S/o Kotilingam the Tahsildar has again conducted survey and reported that Sri Katta Balakrishna has lost only an extent of land Ac.0.06 Cents only and Sri Mandava Subba Rao has lost an extent of land Ac.0.62 Cents under acquisition in Sy.No.294/1A2 of Throvagunta village.

Because of the wrong enjoyment particulars furnished earlier, an excess amount of Rs.87,06,974/- was paid to Sri Katta Balakrishna. The Addl. Joint Collector & CALA, NH-216 has directed the Revenue Divisional Officer, Ongole to identify the Persons responsible for the lapses causing for excess payment of Rs.87,06,974/- to Sri Katta Balakrishna. The Revenue Divisional Officer, Ongole has enquired in to the matter and furnished report duly verifying processing of L.A. files and passing of Award by the officials and recommended to initiate disciplinary action against Indupalli Prakash Kumar, Joint Collector-II & CALA, NH-216, Prakasam District (now retired) for payment of excess compensation amount of Rs.87,06,974/- causing loss to Government exchequer.

Hence, the charge.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE — III

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LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI INDUPALLI PRAKASH KUMAR, JOINT COLLECTOR-II & CALA, NH-216, PRAKASAM DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED.

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1) Draft notification under Section 3A of NH Act, 1956 in the Gazette of India No.1558, dated 24.07.2015 vide S.O.2035(E), dated 24.07.2015.

2) Additional Joint Collector & CALA, NH-216, Prakasam District, Ongole Public Notice in Rc.G1/3968/2014, dated 07.06.2016.

3) Additional Joint Collector & CALA, NH-216, Prakasam District, Ongole Award Progs.No.10/2016/NH-216 in G1/3968/2014, dated 21.10.2016.

4) R.D.O., Ongole Rc.G.1046/2017, dated 03.08.2017.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE — IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI INDUPALLI PRAKASH KUMAR, JOINT COLLECTOR-II & CALA, NH-216, PRAKASAM DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED.

-Nil-

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER